

CENTRAL INTELLIGENCE AGENCY

INFORMATION REPORT

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SECURITY INFORMATION

COUNTRY	Rumania	REPORT	<input type="text"/>	25X1
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1. Theoretically the Prosecutor's task in Rumania is to defend the socialist law in accordance with the principles of ~~class warfare~~. In practice he has only to follow the instructions of the Chief Prosecutor, who receives them in turn from the Workers' Party through the Ministry of Justice.
2. The functions of the Prosecutor are similar to those of the Soviet Prosecutor, the Rumanian and Soviet penal codes being now almost identical. The classical textbooks, which were written by such well-known experts as Lion-Kahn and Vivanti, have been replaced by a Soviet textbook written by Vyshinsky. The Militia is at the disposal of the Prosecutor who has a representative in each magistrate's court.
3. Verdicts are prescribed in accordance with certain rules. Sentence for minor offenses is pronounced directly by the court of trial. In more serious cases where sentences of eight to fifteen years are to be given, instructions go from the Party to the Ministry of Justice to the State Attorney to the court of trial.
4. An attorney may defend his client only in accordance with the principles laid down by a "socialist law". Even in important cases the client has been prejudged guilty and his punishment fixed in advance by the authorities. No attorney could attempt to go against this procedure.
5. The maritime court at Galati has jurisdiction over offenses committed in connection with water transport. Military courts have jurisdiction over servicemen, civilian employees of the army, persons attempting to cross the frontier illegally, violators of currency regulations, and persons endangering the economic security of the state. Civilian courts have jurisdiction over all other offenses.
6. The State Attorney is authorized to change any sentence which has been imposed and to reopen any trial which has already been closed.

25 YEAR RE-REVIEW

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7. About half of all judges are Party members. An attempt is being made to replace the present judges and attorneys by persons of working class origin. A special school, which offers a one-year course for former workers, waiters, and peasants who wish to become judges, has been attached to Bucharest University.
8. Attorneys both in Bucharest and in the provinces must combine into cooperatives. There are seven cooperatives in Bucharest, each having approximately 70 members. The attorney in charge of a case receives 60 percent of the fee, on which sum taxes must be paid, and the cooperative receives the remaining 40 percent. Fees are fixed as follows: 12,000 lei for a sabotage trial; 8,000 lei for a rental dispute; and 3,000 to 4,000 lei for a divorce case. Private practice has almost entirely ceased since there are no more civil cases.
9. A representative of his cooperative controls the activities of each attorney and keeps a personal file on the attorney, presumably for the Party.
10. Attorneys must take part in all the cooperative's meetings, at which Party directives are discussed, and meetings of ARLUS (Union for the Strengthening of Soviet-Rumanian Ties). They must also learn Russian.
11. Judges of the military court, particularly President General Petrescu, accept large bribes. Although the Party is presumably aware of this, no action is taken against him because the general always agrees to do whatever the Party wants.
12. The following personalities are known:
 - a. Harth (fnm), Magistrate, [redacted] 25X1
 - b. Hilsenrath (fnm), attorney at the Ministry of Justice, [redacted] 25X1
 - c. General Alexandru Petrescu, president of the Military Court, [redacted] 25X1
 - d. Tutza Schreiber, attorney at the Ministry of Justice, [redacted] 25X1

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